

5555. Adulteration and misbranding of vinegar. U. S. * * * v. 10 Half Barrels and 25 Crates of Vinegar. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 7516. I. S. Nos. 3634-1, 3635-1. S. No. E-643.)

On June 8, 1916, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 half barrels and 25 crates of vinegar, consigned by Dawson Brothers Manufacturing Co., Atlanta, Ga., alleging that the article had been shipped on February 18, 1916, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Supreme Brand" (or "Georgia Belle Brand") "Pure Apple Cider Vinegar."

Adulteration of the article was alleged in the libel for the reason that added dilute distilled vinegar or added dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

It was alleged in substance in the libel that the article was misbranded for the reason that the statement appearing on the label, to wit, "Pure Apple Cider Vinegar," was false and misleading, and deceived and misled the purchasers into the belief that said article was pure apple cider vinegar, when, in truth and in fact, it was not, but was apple cider vinegar containing added dilute distilled vinegar or added dilute acetic acid, and was an imitation of and offered for sale under the distinctive name of another article, to wit, pure apple cider vinegar.

On May 14, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold at public auction by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*